

**REMARKS**

**Summary of Office Action**

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hirakata et al. (USPN 6,839,108 A1, hereinafter referred as Hirakata).

Claims 10-13 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Summary of Amendment**

Claim 10 has been rewritten in independent form including all limitations of the base claim 14, and claim 14 has been cancelled. No new matter has been added. Claims 1-3, 5-6 and 15-36 had been cancelled. Accordingly, claims 4 and 7-13 are pending for consideration.

**The Rejection Under 35 U.S.C §103**

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hirakata and Sundahl, and claims 10-13 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the amendment to the claims, claim 10 has been rewritten in independent form including all limitations of the base claim 14. Applicants respectfully submit that independent claim 10 is patentable over Hirakata. Claim 10 recites an active matrix organic electro

luminescence display panel device, having a combination of elements including, for example, "a substrate; at least one low refractive thin film formed on the substrate; an organic electro luminescence diode formed on the low refractive thin film to selectively emit light; a switching device formed on the low refractive thin film for selectively driving the organic electro luminescence diode; a first insulating layer formed between the substrate and the low refractive thin film to cover the switching device; and a capacitor formed between the substrate and the low refractive thin film to sustain a light emission of the organic electro luminescence diode, the first insulating layer covering the capacitor, wherein a refractive rate (n) of the low refractive thin film is less than or equal to 1.5". Any one of Hirakata and Sundahl fails to teach, either expressly or inherently, at least these features of the claimed invention.

Accordingly, Applicants respectfully submit that claim 10, and claims 11-13 which depend from claim 10 are patentable over Hirakata and Sundahl.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

#### CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:

  
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Mary Jane Boswell  
Reg. No. 33,652

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**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Tel.: (202) 739-3000  
Fax: (202) 739-3001